IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVI APPELLATE SIDE JURISDICTION

WRIT PETITION NO 6348 OF 2005

Sahebsingh Bhimsing Patil....Petitioner

vs

Sumanbai Chatursingh Thokre and anr..Respondents

Mr Shetye for Prashant D Jadhav for petitioner

Mr. P B Shah for respondent nos.l,3,4,6 to l0

CORAM: S.U.KAMDAR J.

Dated 5.l2.2005

P.C:

l. There is concurrent findings of fact given by both the trial court and appellate court that the petitioner has no right, title and interest in the property and the decree passed earlier was confirmed upto the Supreme Court. After loosing the litigation for possession of the property now he has claimed that he has supposedly purchased the property from one of the legal heirs of the deceased Prabhatsingh i.e. Chatursingh. Admittedly the deceased had two sons and wife i.e. Chatursingh, Ambersingh and wife Shantabai. The trial court has given a finding that Ambersingh and Shanatabai had not executed any agreement. The appellate court has given a finding that the plaintiff has not come to the court with clean

hands and he is not entitled to the property. In that view of the matter interim reliefs are rejected. In view of the concurrent findings of fact recorded by the courts below and as there is no error apparent on the face of record, petition is dismissed.